

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JAMES H. GORBEY, JR.,
ADMINISTRATOR OF THE ESTATE OF
MARISSA ROSE FISHMAN, DECEASED

Plaintiffs,

v.

RICHARD LONGWILL, BARBARA,
LONGWILL, AIR BASE CARPET MART
INC. d/b/a AIR BASE CARPET MART,
ASHLAND CONSTRUCTION COMPANY,
INC., JOSEPH RIZZO & SONS
CONSTRUCTION CO., INC. a/d/b/a/
ASHLAND CONSTRUCTION COMPANY,
INC., JOSEPH V. RIZZO AND VINCENT
RIZZO

Defendants.

C.A. No. 05-211-MPT

ORDER

Consistent with the Memorandum Opinion issued on April 13, 2007,

IT IS ORDERED and ADJUDGED that Ashland's Motion for Summary Judgment as to Liability (D.I. 85) is GRANTED as to Joseph V. Rizzo and DENIED as to the remaining Ashland Defendants.

Date: April 13, 2007


UNITED STATES MAGISTRATE JUDGE